

Application No. 10/521,298  
March 20, 2008

Attorney Docket No. BP/G-32983A/LEK  
LNG File 63620.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Andreja Vukmirovic, et. al.  
Application No.: 10/521,298  
Filing Date: May 24, 2005  
Confirmation No.: 9220  
Title: Stable Pharmaceutical Composition Comprising Erythropoietin  
Examiner: Satyanarayana R. Gudibande, Ph.D. (571-272-8146)  
Group Art Unit: 1654

TERMINAL DISCLAIMER

MAIL STOP NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Lek Pharmaceuticals d.d., a company organized under the laws of Slovenia, having a place of business at Verovskova 57, 1526 Ljubljana, Slovenia, represents that it is the assignee and owner of the entire interest in the above-identified application by virtue of an assignment which is recorded in the United States Patent and Trademark Office at Reel / Frame #: 020501/ 0382. A copy of the Patent Assignment Abstract of Title is attached hereto.

Lek Pharmaceuticals d.d. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC § 154 – 156 and § 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application No. 10/521,296. Said Application No. 10/521,296 is also assigned to Lek Pharmaceuticals d.d. by virtue of an assignment which is recorded in the

Application No. 10/521,298

March 20, 2008

United States Patent and Trademark Office at Reel / Frame #: 020501/ 0382. A copy of the Patent Assignment Abstract of Title is attached hereto.

Lek Pharmaceuticals d.d. hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that it and any patent granted on Application No. 10/521,296 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, Lek Pharmaceuticals d.d. does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 USC § 154 – 156 and § 173 of any patent granted on Application No. 10/521,296, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

A terminal disclaimer fee under 37 CFR § 1.20(d) is included.

Respectfully submitted.

LUEDEKA, NEELY & GRAHAM, P.C.

By:

  
John D. Thallemer  
Registration No. 34,940

Date: March 20, 2008



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## Patent Assignment Abstract of Title

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## Total Assignments: 1

Patent #: NONE

Issue Dt:

Application #: 10521298

Filing Dt: 05/24/2005

Publication #: 20050202091

Pub Dt: 09/15/2005

Inventors: Andreja Vukmirovic, Tanja Rozman Peterka, Jelka Svetek, Alenka Paris

Title: Stable pharmaceutical composition comprising erythropoietin

## Assignment: 1

Reel/Frame: 020501/0382

Recorded: 02/13/2008

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: VUKMIROVIC, ANDREJA

Exec Dt: 12/21/2004

PETERKA, TANJA ROZMAN

Exec Dt: 01/18/2005

SVETEK, JELKA

Exec Dt: 12/20/2004

PARIS, ALENKA

Exec Dt: 12/20/2004

Assignee: LEK PHARMACEUTICALS D.D.

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1526 LJUBLJANA, SLOVENIA

Correspondent: SANDOZ, INC.

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Web interface last modified: April 20, 2007 v.2.0.1

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ASSIGNMENT

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  3. Jelka SVETEK, Prusnikova 13, 1210 Ljubljana, Slovenia, citizen of Slovenia
  4. Alenka PARIS, Ul. Bratov Ucakar 22, 1000 Ljubljana, Slovenia, citizen of Slovenia

for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, do hereby sell and assign to **Lek Pharmaceuticals d.d., a Company organized under the laws of Slovenia, of Verovskova 57, 1526 Ljubljana, Slovenia** its successors, assigns and legal representatives all my/our right, title and interest, in and for the United States of America, in and to the invention entitled:

**STABLE PHARMACEUTICAL COMPOSITION COMPRISING ERYTHROPOIETIN**

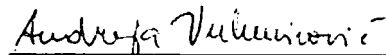
invented by me/us and described in the international application

No. PCT/SI 03/00023 filed 14/07/2003

and all United States Letters Patent which may be granted therefor, and all divisions, reissues, continuations and extensions thereof, the said interest being the entire ownership of the said Letters Patent when granted, to be held and enjoyed by the said **Lek Pharmaceuticals d.d.**, its successors, assigns or other legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by me/us if this assignment and sale had not been made;

And I/we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the said **Lek Pharmaceuticals d.d.**

Signed on



Andreja VUKMIROVIC

21. 12. 2004



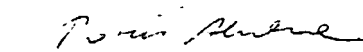
Tanja ROZMAN PETERKA

13. 1. 2005



Jelka SVETEK

20. 12. 2004



Alenka PARIS

20. 12. 2004



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## Patent Assignment Abstract of Title

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## Total Assignments: 1

Patent #: NONE

Issue Dt:

Application #: 10521296

Filing Dt: 05/24/2005

Publication #: 20050238720

Pub Dt: 10/27/2005

Inventors: Andreja Vukmirovic, Tanja Rozman Peterka, Jelka Svetek, Alenka Paris

Title: Stable pharmaceutical composition comprising erythropoietin

## Assignment: 1

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  4. Alenka PARIS, Ul. Bratov Ucakar 22, 1000 Ljubljana, Slovenia, citizen of Slovenia

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**STABLE PHARMACEUTICAL COMPOSITION COMPRISING ERYTHROPOIETIN**

invented by me/us and described in the international application

No. PCT/IB 02/04690 filed 08/11/2002

and all United States Letters Patent which may be granted therefor, and all divisions, reissues, continuations and extensions thereof, the said interest being the entire ownership of the said Letters Patent when granted, to be held and enjoyed by the said **Lek Pharmaceuticals d.d.**, its successors, assigns or other legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by me/us if this assignment and sale had not been made;

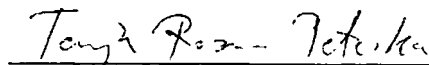
And I/we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the said **Lek Pharmaceuticals d.d.**.

Signed on



Andreja VUKMIROVIC

21. 12. 2004



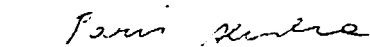
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12. 1. 2005



Jelka SVETEK

20. 12. 2004



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20. 12. 2004